

IN THE COURT OF COMMON PLEAS OF YORK COUNTY,
PENNSYLVANIA

SARA PICKETT	:	No. 2021-FC-001007-03
	:	
VS	:	
	:	
KRISTOFFER HEXTER	:	
(via Zoom)	:	
	:	
VS	:	
	:	Status and Contempt
BRUCE HEXTER	:	Hearing

York, PA, Tuesday, May 9, 2023
Before the Honorable N. Christopher Menges, Judge

APPEARANCES:

NO COUNSEL PRESENT
For the Plaintiff

NO COUNSEL PRESENT
For the Defendant

BRANDY G. HOKE, Esquire
For the Intervenor

* * *

TRANSCRIPT OF PROCEEDINGS

* * *

Reported by:

Bethany J. Riley
Official Court Reporter

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* * *

10:37:55 1

10:37:55 2

THE COURT: All right. Mr. Hexter, can you hear me okay?

10:38:04 3

10:38:06 4

THE FATHER: Yes, Your Honor.

10:38:07 5

THE COURT: Great. All right.

10:38:10 6

Ms. Pickett? All right.

10:38:13 7

Mr. Hexter, Attorney Hoke?

10:38:16 8

ATTORNEY HOKE: Yep.

10:38:17 9

THE COURT: I heard someone wants to

10:38:19 10

continue the matter.

10:38:20 11

THE MOTHER: Yes, Your Honor. I would

10:38:22 12

just like another maybe two weeks to find counsel for

10:38:25 13

this situation, please.

10:38:26 14

ATTORNEY HOKE: And I'm going to object

10:38:28 15

to that, Your Honor. She's had 30 days to find

10:38:33 16

counsel.

10:38:33 17

THE COURT: Well, the question that I

10:38:39 18

have is Grandfather here has set forth, in quite some

10:38:46 19

detail, a number of allegations of contempt. Some of

10:38:54 20

those involve phone calls, records. Is the situation

10:38:59 21

getting any better or is it just as bad as it was?

10:38:59 22

Let's ask that question.

10:39:03 23

ATTORNEY HOKE: I think it's just as bad

10:39:04 24

as it was. In fact, Mother is now holding

10:39:08 25

Grandfather's time altogether. His last visit he was

10:39:11 1 supposed to have on April 22nd, she did not relinquish
10:39:11 2 the children. Looking back at the Court's prior
10:39:18 3 orders, going back to even June of last year, this has
10:39:18 4 been an ongoing problem with Mother.

10:39:20 5 THE COURT: what happened on April 22nd,
10:39:21 6 ma'am?

10:39:22 7 THE MOTHER: I'm going to decline to
10:39:25 8 speak without counsel, Your Honor.

10:39:30 9 ATTORNEY HOKE: My client can summarize
10:39:32 10 what happened if the Court would like to hear it.

10:39:40 11 THE COURT: The petition for contempt
10:39:52 12 I'm looking at, it appears to have been clocked in on
10:39:57 13 April 10th of 2023. It's a month ago. When did you
10:40:02 14 get this petition?

10:40:05 15 THE MOTHER: Your Honor, I received the
10:40:07 16 petition when I found your -- when I picked up your
10:40:11 17 response -- or the denial to the recusal is when I
10:40:15 18 found out that that had been entered, and when I had
10:40:18 19 spoken with Attorney Bagnato, who is my attorney on
10:40:21 20 file, he affirmed that he has not received anything
10:40:24 21 such as a notice to appear or anything of that nature
10:40:28 22 on my behalf.

10:40:30 23 THE COURT: what proof of service do you
10:40:32 24 have?

10:40:32 25 ATTORNEY HOKE: There's a certificate of

10:40:34 1 service that was done by Attorney Harshberger's
10:40:38 2 paralegal where prior counsel was served by e-mail as
10:40:41 3 well as by first-class mail, and that was done on the
10:40:44 4 date that it was filed.

10:40:51 5 THE COURT: Attorney Bagnato, is that
10:40:56 6 your attorney?

10:40:56 7 THE MOTHER: He was my attorney. That's
10:40:58 8 correct.

10:40:58 9 THE COURT: Has Attorney Bagnato's
10:41:06 10 appearance been withdrawn of record?

10:41:08 11 ATTORNEY HOKE: I believe so.

10:41:09 12 THE MOTHER: Yes. I have entered my
10:41:11 13 appearance as pro se because I could not come to this
10:41:15 14 hearing pro se -- well, without an attorney when I
10:41:17 15 didn't have an attorney retained. I'm sorry. I'm
10:41:21 16 having trouble speaking.

10:41:22 17 THE COURT: It's okay. When did you
10:41:24 18 enter your appearance pro se?

10:41:28 19 THE MOTHER: That would have been on
10:41:30 20 Friday, May 5th, I believe was the date.

10:41:34 21 THE COURT: So until May 5th, Attorney
10:41:37 22 Bagnato did represent you?

10:41:38 23 THE MOTHER: Yes. He was on file as my
10:41:42 24 attorney on record or whatever that's called. I'm
10:41:45 25 sorry.

10:41:45 1 THE COURT: Okay. Well, a certificate
10:41:47 2 of service appears to be in order. It appears you were
10:41:52 3 properly served with the petition for contempt on or
10:41:57 4 about April 6, 2023. So your request -- well, let's
10:42:03 5 hear from Father.

10:42:04 6 Mr. Hexter, do you have a position on
10:42:06 7 this continuance?

10:42:08 8 THE FATHER: I don't see why it should
10:42:14 9 be continued. Ms. Pickett had plenty of time to seek
10:42:18 10 additional counsel.

10:42:18 11 THE COURT: All right. Your request for
10:42:20 12 a continuance is denied. So we're going to go ahead
10:42:23 13 and have a hearing.

10:42:24 14 Attorney Hoke, you ready?

10:42:26 15 THE MOTHER: Do what you're going to do.

10:42:26 16 THE COURT: I'm sorry, Ms. Pickett.
10:42:26 17 What did you say?

10:42:26 18 THE MOTHER: I said, okay, do what you
10:42:30 19 are going to do. At this point, I'm going to plead the
10:42:33 20 Fifth. I will not participate. They have not entered
10:42:35 21 any sort of evidence, which apparently there are
10:42:37 22 evidentiary requirements when you file something with
10:42:38 23 the Court, as well as burden of proof, so they have not
10:42:41 24 -- their petition to intervene nor would the petition
10:42:44 25 for contempt provide any sort of evidence to the Court

10:42:46 1 to suggest that anything of this nature is actually
10:42:50 2 happening.

10:42:50 3 THE COURT: Okay. Attorney Hoke, you
10:42:52 4 ready?

10:42:52 5 ATTORNEY HOKE: I'm ready.

10:42:52 6 THE COURT: Go ahead.

10:42:52 7 ATTORNEY HOKE: Okay. I would call
10:42:53 8 Grandfather, Bruce Hexter, please.

10:43:01 9 THE COURT: All right.

10 * * *

11 BRUCE HEXTER,

12 called as a witness,

13 having been duly sworn according to law,

14 testified as follows:

15 * * *

16 THE CLERK: Please state and spell your
17 name for the Court.

10:43:33 18 THE GRANDFATHER: Bruce Hexter,
10:43:35 19 H-E-X-T-E-R.

10:43:35 20 * * *

10:43:35 21 DIRECT EXAMINATION

10:43:35 22 BY ATTORNEY HOKE:

10:43:37 23 Q. Thank you. And can you confirm your address
10:43:39 24 for the record?

10:43:39 25 A. 1472 Bramblewood Court, Pottstown, PA.

10:43:45 1 Q. And you are Grandfather to the subject minor
10:43:45 2 child?

10:43:47 3 A. Correct.

10:43:49 4 Q. And currently you are under Custody Orders
10:43:54 5 from April 7th of 2022, June 2022, and September of
10:44:00 6 2022. Is that correct?

10:44:01 7 A. Correct.

10:44:02 8 Q. Okay. Under those Orders, can you state what
10:44:05 9 physical rights you have to the children?

10:44:08 10 A. The rights I have for the children, I was
10:44:11 11 supposed to get the children on the second and fourth
10:44:13 12 Saturdays of each month from 9 A.M. until 7 P.M., and
10:44:20 13 also have phone contact with both children on the
10:44:24 14 first, third and if there is a fifth Monday of each
10:44:29 15 month at 6 P.M.

10:44:32 16 Q. And what are your legal rights to the
10:44:34 17 children under those Orders?

10:44:36 18 A. I get the kids and take them out, have an
10:44:40 19 enjoyable day with them, and then take them back to the
10:44:43 20 Mother.

10:44:45 21 Q. What is your access -- do you have access
10:44:46 22 under the current Orders to any of the children's
10:44:49 23 medical or educational records?

10:44:52 24 A. I am supposed to have them, but I have not
10:44:55 25 received any information on any of that since the very

10:45:00 1 original court hearing.

10:45:01 2 Q. And just to be clear, Mother has sole legal
10:45:04 3 of both children, correct?

10:45:06 4 A. Correct.

10:45:06 5 Q. Okay. But she's supposed to share
10:45:08 6 information with you regarding those things under the
10:45:10 7 Orders?

10:45:10 8 A. Correct. And we are also supposed to be --
10:45:15 9 contact through OurFamilyWizard with Judge Menges'
10:45:19 10 Orders, which I wound up paying the full amount of
10:45:22 11 \$300, and that I have not been given the 150 back from
10:45:29 12 Ms. Pickett.

10:45:30 13 Q. Does Mother communicate with you using
10:45:33 14 OurFamilyWizard?

10:45:34 15 A. I haven't received, I believe, from when we
10:45:37 16 started this approximately two to maybe three messages,
10:45:40 17 period. And each one of them were basically saying,
10:45:44 18 you don't have the rights -- have any rights with them.

10:45:49 19 Q. Let's start with the phone calls. Have there
10:45:52 20 been times going back to -- let's just look over since
10:45:56 21 the Order of June of last year. Have there been times
10:46:00 22 that Mother has denied you access to the children by
10:46:04 23 phone?

10:46:04 24 A. Correct. I've called many of times, and when
10:46:08 25 I do get the -- actually get an answer, which is rare,

10:46:13 1 it's been -- I've only talked to [R.H.] I'd say 95
10:46:20 2 percent of the time. If I do get [A.P], it's only
10:46:25 3 brief, and, in fact, the last time I actually tried
10:46:28 4 calling, the kids told me they get their baths around
10:46:34 5 6:30 at night. The last time I called, I called at 6
10:46:39 6 o'clock, called back again with no answer at 6, leave a
10:46:42 7 message, call back at 6:15, no answer. At 6:19, I get
10:46:47 8 a call back. I said, oh, hey, how you doing, [R.H.],
10:46:51 9 what are you up to, and he told me he was playing with
10:46:53 10 a game and everything. I said, where's [A.P]? Oh,
10:46:57 11 she's getting her tubby already. I said, oh, I guess
10:47:00 12 mommy must have put her in the tub so she didn't have
10:47:04 13 to talk to me. Sara got on the phone, that's it, we're
10:47:08 14 done, and hung up.

10:47:10 15 Q. Do you recall what date that was? Was that
10:47:13 16 this past Monday or the Monday before?

10:47:17 17 A. That was the Monday -- the third Monday, I
10:47:25 18 believe it was, in April.

10:47:28 19 Q. Okay. Has there been other occasions where
10:47:32 20 Mother has interrupted your phone calls with the
10:47:32 21 children?

10:47:33 22 A. A couple of times.

10:47:34 23 Q. What does she say when she interrupts these
10:47:37 24 phone calls with the children?

10:47:39 25 A. Told me I'm a pedophile and stuff like that

10:47:42 1 on the phone. Calling me all kinds of different names
10:47:45 2 like that.

10:47:45 3 THE COURT: In front of the children?

10:47:46 4 THE WITNESS: I believe the children are
10:47:48 5 in front of her because I was talking to the kids and
10:47:51 6 she took the phone off of them.

10:47:55 7 THE COURT: Go ahead.

10:47:55 8 BY ATTORNEY HOKE:

10:47:57 9 Q. Thank you. So to follow up on that, have
10:48:01 10 there been other instances outside of these phone calls
10:48:04 11 that you're aware of that Mother has made derogatory
10:48:07 12 comments about you or about Father to the children?

10:48:10 13 A. I know that the kids have told me how mommy
10:48:13 14 tells us she doesn't like you, mommy hates you, etc.,
10:48:16 15 like that. And, in fact, the last time I came to pick
10:48:20 16 them up, which was the Saturday before Easter, the kids
10:48:24 17 got into the truck with me and said, when you got here,
10:48:29 18 mommy was sitting there, and she saw you come up, and
10:48:33 19 she gave you the finger out the window. That's bad,
10:48:37 20 isn't it, Pop Pop? I said, that's very bad.

10:48:40 21 Q. Okay.

10:48:46 22 A. I've had the kids out a couple of times, once
10:48:52 23 at a playground. They met a woman there with her
10:48:55 24 daughter, turns around and said to the kids -- the kids
10:48:59 25 were playing with her daughter and everything. Next

10:49:02 1 thing you know, they're up talking to the lady, said to
10:49:05 2 the lady, I wish I could stay with Pop Pop. I don't
10:49:09 3 want to go home to mommy. They actually said that to a
10:49:14 4 couple other people that I know that I met.

10:49:18 5 Q. If you had to, going back since the last
10:49:21 6 Order, going back to June, would you say that your
10:49:25 7 contact with the children is -- is it -- strike.

10:49:31 8 Okay. Going back to June from the last Order
10:49:35 9 with your phone calls with the children, do you more
10:49:38 10 consistently have contact with them or were they more
10:49:42 11 frequently denied?

10:49:43 12 A. With the phone calls?

10:49:43 13 Q. Yeah.

10:49:44 14 A. Half and half, I would say.

10:49:46 15 Q. Okay. Regarding the children's medical
10:49:52 16 status, since the beginning of the school year, we'll
10:49:57 17 say August of last year, has Mother informed you of any
10:50:04 18 doctor's appointments she's taken the children to?

10:50:06 19 A. None.

10:50:07 20 Q. Has she told you of any dental appointments
10:50:09 21 she's taken the children to?

10:50:10 22 A. None.

10:50:11 23 Q. Have the children said anything about going
10:50:13 24 to the doctor?

10:50:14 25 A. They said mommy said she was going to take

10:50:17 1 them to the eye doctor or the dentist a couple times
10:50:19 2 but have not gotten us there yet.

10:50:23 3 Q. Have the children complained to you about
10:50:26 4 physical ailments?

10:50:28 5 A. My grandson, [R.H.], actually said to me a
10:50:30 6 couple times, I have a toothache, Pop Pop. I have a
10:50:34 7 cavity is actually what he said.

10:50:34 8 Q. Okay.

10:50:39 9 A. And I noticed a couple times him holding a
10:50:43 10 paper like six, eight inches from his face trying to
10:50:47 11 read it. I said, I think you need glasses. He said,
10:50:51 12 yeah, mommy said she's going to take us for glasses but
10:50:54 13 never has.

10:50:55 14 Q. Regarding the children's educational status,
10:50:58 15 going back to the beginning of the school year, has
10:51:02 16 Mother provided you copies of any report cards for
10:51:05 17 either of the children?

10:51:07 18 A. Nothing. From what I understand, the report
10:51:10 19 cards are done electronically, and she has never given
10:51:15 20 me the access to the school report cards to get their
10:51:20 21 progresses.

10:51:22 22 Q. And in the last Order, Mother was directed to
10:51:24 23 turn over the log-in information for the portal,
10:51:24 24 correct?

10:51:27 25 A. Correct.

10:51:27 1 Q. And that never happened?

10:51:29 2 A. Never happened.

10:51:30 3 Q. Has she ever told you about upcoming teacher

10:51:34 4 conferences for either children?

10:51:36 5 A. Never.

10:51:37 6 Q. Back-to-school nights?

10:51:38 7 A. Never.

10:51:39 8 Q. School events?

10:51:40 9 A. Never.

10:51:41 10 Q. Are the children involved in any other school

10:51:41 11 related or extracurricular activities that you are

10:51:44 12 aware of?

10:51:44 13 A. Not that I'm aware of.

10:51:46 14 Q. Okay. And you're seeking counsel fees today

10:51:58 15 regarding the contempt allegations?

10:52:02 16 A. Am I seeking --

10:52:04 17 Q. Counsel fees, yes.

10:52:04 18 A. Yes, I am.

10:52:05 19 Q. Do you know approximately how much in counsel

10:52:08 20 fees that you incurred from this?

10:52:11 21 A. From what I understand, it's approximately

10:52:13 22 \$750 or more.

10:52:14 23 ATTORNEY HOKE: Okay. All right. I

10:52:16 24 don't have any other questions, Your Honor.

10:52:17 25 THE COURT: Ms. Pickett, do you have

10:52:19 1 questions of this witness?

10:52:21 2 THE MOTHER: Yes.

10:52:21 3 * * *

10:52:21 4 CROSS-EXAMINATION

10:52:21 5 BY THE MOTHER:

10:52:22 6 Q. Do you have any evidence or only hearsay?

10:52:25 7 A. Evidence or hearsay in reference to?

10:52:29 8 Q. Any of the claims that you've made.

10:52:32 9 A. They're all the claims I made, which how can
10:52:36 10 I make the evidence when I don't have records of phone
10:52:39 11 calls? I don't have records of the kids talking to me.

10:52:43 12 There's no physical evidence of that, but it's all --

10:52:47 13 Q. So you did not obtain phone records to submit
10:52:51 14 as evidence to prove your claims?

10:52:53 15 A. Oh, it's on my phone as far as the phone
10:52:55 16 calls that I made, which shows me three seconds, five
10:52:59 17 seconds, 20 seconds with the denied phone call, with
10:53:01 18 the no answers.

10:53:03 19 THE MOTHER: Okay. So no evidence. No
10:53:04 20 further questions, Your Honor.

10:53:05 21 THE COURT: I have a question, sir.

10:53:07 22 THE WITNESS: Yes.

10:53:07 23 THE COURT: If this situation is so
10:53:12 24 dire, why have you not filed for modification to get
10:53:16 25 more custodial time with the children?

10:53:18 1 THE WITNESS: I've asked my lawyer to
10:53:21 2 possibly do that, and he said he wanted to wait until
10:53:24 3 we had this hearing.

10:53:24 4 THE COURT: Okay. Fair enough. Any
10:53:26 5 other questions of this witness?

10:53:27 6 ATTORNEY HOKE: No, Your Honor.

10:53:28 7 THE COURT: You may stand down. Thank
10:53:30 8 you.

10:53:30 9 Oh, I'm sorry. You may not stand down.
10:53:33 10 Mr. Hexter on Zoom, forgive me. Do you have questions
10:53:37 11 of this witness.

10:53:38 12 THE FATHER: I do not, Your Honor.

10:53:39 13 THE COURT: Okay. Now you can stand
10:53:42 14 down.

10:53:43 15 Attorney Hoke, any other witnesses?

10:53:43 16 ATTORNEY HOKE: No, Your Honor.

10:53:44 17 THE COURT: Okay. Ms. Pickett, do you
10:53:48 18 have any witnesses you want to call?

10:53:51 19 THE MOTHER: No, Your Honor.

10:53:52 20 THE COURT: You don't want to testify?

10:53:55 21 THE MOTHER: No, Your Honor.

10:53:56 22 THE COURT: You know there is no right
10:54:00 23 to not self-incriminate in a civil case.

10:54:05 24 THE MOTHER: That's fine. I do not wish
10:54:06 25 to testify, Your Honor. Thank you.

10:54:07 1 THE COURT: Well, I've got a question
10:54:13 2 for you. I have to ask you, Ms. Pickett, and that is
10:54:16 3 about how much do you make -- where do you work? Let's
10:54:20 4 start with that. Where do you work?

10:54:20 5 THE MOTHER: I'm currently
10:54:24 6 self-employed.

10:54:24 7 THE COURT: What do you do as a
10:54:26 8 self-employed person?

10:54:27 9 THE MOTHER: I typically -- I would say
10:54:30 10 I am a business manager. That's the simplest way to
10:54:33 11 put it.

10:54:33 12 THE COURT: Well, what does that look
10:54:34 13 like?

10:54:35 14 THE MOTHER: It depends on the company.
10:54:36 15 Right now I work for a company where -- it is an online
10:54:40 16 coaching company. Typically what I would do is I run
10:54:43 17 the client retention team for them. And what we do is
10:54:47 18 we handle the accounts receivables, you know, following
10:54:50 19 up on any declined orders during events, organizing the
10:54:54 20 back end for the billing and the accounts receivables
10:54:58 21 and things like that.

10:54:59 22 THE COURT: So you are a consultant to
10:55:01 23 several other companies?

10:55:02 24 THE MOTHER: I guess that's a fair way
10:55:05 25 to put it.

10:55:06 1 THE COURT: How much do you expect to
10:55:09 2 earn in the year 2023 from your business?

10:55:13 3 THE MOTHER: I honestly couldn't tell
10:55:16 4 you.

10:55:16 5 THE COURT: Well, how much did you earn
10:55:18 6 in 2022?

10:55:19 7 THE MOTHER: About \$50,000.

10:55:22 8 THE COURT: Okay. Think 2023 will be
10:55:24 9 the same, better, or worse? Any idea?

10:55:26 10 THE MOTHER: Probably the same.

10:55:29 11 THE COURT: Okay. All right, thank you.

10:55:37 12 THE MOTHER: Never mind.

10:55:38 13 THE COURT: No, go ahead.

10:55:40 14 THE MOTHER: No, I don't have anything
10:55:41 15 to say.

10:55:41 16 THE COURT: Are you sure?

10:55:42 17 THE MOTHER: Yeah. I'm certain.

10:55:44 18 THE COURT: Mr. Hexter on Zoom, do you
10:55:47 19 have any witnesses you want to testify? You want to
10:55:49 20 say anything at all?

10:55:51 21 THE FATHER: No, Your Honor.

10:55:52 22 THE COURT: Okay. All right. In this
10:56:00 23 matter, the Court has before it a petition for
10:56:05 24 contempt. Additionally, there was to be a follow-up
10:56:10 25 hearing scheduled last year, and an appeal to the

1 Superior Court sort of derailed that, but the Court did
2 mention in a prior Order that the Court might consider
3 giving Grandfather more rights.

4 In any event, the Court Order is as
5 follows:

6 1. Mother, Sara Pickett, is found in
7 contempt for not having the children have phone contact
8 with Grandfather regularly as set forth in the Order.

9 2. Mother is found in contempt for not
10 providing medical, educational, and other records for
11 the children to the Grandfather.

12 3. Mother is found in contempt for not
13 paying Grandfather the reimbursement of \$150 for half
14 of the OurFamilywizard.

15 4. Mother is found in contempt for not
16 participating in OurFamilywizard in a meaningful way.

17 5. The sanctions for these four grounds
18 of contempt are as follows:

19 A. Legal custody is now joint between
20 Grandfather, Bruce Hexter, and Mother, Sara Pickett.
21 Neither party will schedule any appointments,
22 educationally, medically, or otherwise, without the
23 unanimous consent between the two of them as joint
24 legal custodians.

25 B. Since Grandfather has not had

1 sufficient phone contact with the two children, he gets
2 make-up time for that, and that make-up time will
3 consist of a Saturday from 9 A.M. until 7 P.M. as an
4 extra Saturday of partial custody, which will be on the
5 third Saturday of June, that being June 17, 2023. To
6 be clear, Grandfather already is to have the second
7 Saturday, that being June 10th, and the fourth
8 Saturday, that being June 24th, per the prior operative
9 Order, but in addition to that, he will have the third
10 Saturday of June, that being June 17, 2023, again, from
11 9 A.M. to 7 P.M.

12 C. Because Mother has not provided
13 sufficient contact with Grandfather as per the
14 operative Order within 20 days of today, Mother will
15 buy, at her own expense, a cell phone for the children,
16 which shall be their cell phone, and they shall be in
17 possession of said cell phone.

18 The cell phone, of course, is not to be
19 a smart phone that will enable the children to get on
20 the internet or any of those sorts of things, but will
21 be a cell phone sufficient that they may call
22 Grandfather whenever they wish and that Grandfather may
23 call them as set forth already in the operative Orders.

24 Mother will continue to pay the monthly
25 fee for that cell phone, and Mother will not take that

11:00:41 1 cell phone away from the children under any
11:00:43 2 circumstances.

11:00:45 3 D. All other provisions set forth in
11:00:54 4 prior Orders, including, but not limited to, the Order
11:00:57 5 of April 7, 2022, and the Order of June 2, 2022, and
11:01:03 6 the Order of September 6, 2022, remain in full force
11:01:08 7 and effect, and Mother is to obey those.

11:01:18 8 Specifically, Mother, at the very least,
11:01:20 9 is supposed to also provide Grandfather with school
11:01:25 10 portals, passwords, etc., so that he may get the
11:01:32 11 children's school information. That is in addition to
11:01:36 12 and not instead of all the provisions set forth.

11:01:40 13 E. Mother will within 120 days of today
11:01:54 14 reimburse Grandfather the sum of \$750 in attorney's
11:01:58 15 fees.

11:02:02 16 F. In the event that Mother does not
11:02:10 17 comply with any of these additional provisions and/or
11:02:18 18 Mother does not comply with prior Orders in this
11:02:25 19 matter, and upon a petition for contempt being
11:02:28 20 presented in this Court, the Court warns Mother that if
11:02:33 21 she might be found in contempt in the future, then
11:02:37 22 incarceration would be very likely. And that
11:02:41 23 incarceration could be immediate, meaning that if there
11:02:45 24 is a future contempt hearing and Mother is found in
11:02:50 25 contempt at that hearing, Mother may be taken directly

11:02:53 1 to jail from the hearing, and Mother is warned of that.

11:02:57 2 The Court is saddened that Mother
11:03:04 3 doesn't seem to have a proper respect for Court Orders
11:03:12 4 and for the Court in general, and implores and orders
11:03:16 5 Mother to comply with all Orders of Court in this
11:03:20 6 matter as set forth herein and in prior orders.

11:03:27 7 By the Court. Copy to Attorney
11:03:34 8 Harshberger, Joshua Scott Harshberger. Copy to Father,
11:03:42 9 Kristoffer Hexter.

11:03:44 10 What address do you want that mailed to,
11:03:47 11 sir?

11:03:48 12 THE FATHER: The 1200 Mokychic, Your
11:03:48 13 Honor.

11:03:48 14 THE COURT: Can you recite that for the
11:03:48 15 court reporter, please?

11:03:57 16 THE FATHER: 1200 Mokychic
11:04:03 17 M-O-K-Y-C-H-I-C Drive, Collegeville, Pennsylvania
11:04:09 18 19426.

11:04:09 19 THE COURT: Is there an inmate number or
11:04:10 20 anything that should be attached to that?

11:04:12 21 THE FATHER: QL4504. Your Honor, if I
11:04:20 22 may, the last correspondence you tried to send me was
11:04:23 23 not properly coded so it was kicked back to you.

11:04:26 24 THE COURT: All right. What was that
11:04:27 25 code number again so the court reporter is sure to have

11:04:30 1 it and give it to the prothonotary?

11:04:31 2 THE FATHER: Well, it's a separate code
11:04:35 3 number. It's a OGN, not the state ID number.

11:04:39 4 THE COURT: All right. So what needs to
11:04:41 5 be on the envelope?

11:04:41 6 THE FATHER: There's a courts and
11:04:45 7 attorney code and time code that should be put on the
11:04:50 8 envelope. The correspondence prior to this last one
11:04:53 9 did have that code, but the last one that was attempted
11:04:57 10 to be received on this past Friday was denied.

11:05:00 11 THE COURT: All right. And copy, of
11:05:07 12 course, to Mother, Sara Pickett. What address do you
11:05:10 13 want that mailed to you, ma'am?

11:05:11 14 THE MOTHER: 2159 White Street, Suite 3,
11:05:20 15 Box 142, York, PA 17404.

11:05:26 16 THE COURT: Okay. Ma'am, do you have
11:05:28 17 any questions?

11:05:32 18 THE MOTHER: No, I think I'm okay, Your
11:05:35 19 Honor.

11:05:35 20 THE COURT: All right. You understand
11:05:36 21 what you got to do?

11:05:37 22 THE MOTHER: Understood.

11:05:39 23 THE COURT: Okay. All right.

11:05:41 24 ATTORNEY HOKE: Your Honor, just
11:05:42 25 briefly, is the change in legal custody, since it's

11:05:45 1 switching from sole to joint, done in consideration
11:05:46 2 with the custody factors?

11:05:48 3 THE COURT: Candidly, it's done because
11:05:52 4 the Court wants to enforce its Order that Grandfather
11:05:56 5 receive the medical and educational and so forth
11:06:00 6 information. It would appear the only way to make that
11:06:04 7 happen is to award him joint legal custody. So it's an
11:06:08 8 enforcement sanction --

11:06:11 9 THE MOTHER: So he does not have
11:06:13 10 standing under 5324 for legal custody?

11:06:16 11 THE COURT: I'm sorry, Ms. Pickett,
11:06:17 12 forgive me. What'd you say?

11:06:18 13 THE MOTHER: I said, so he does not have
11:06:20 14 standing under 5324 for legal custody and has not
11:06:23 15 presented anything to gain that, correct? That's my
11:06:26 16 understanding.

11:06:26 17 THE COURT: I did not make a
11:06:28 18 determination under 5324 or 5325. It's a sanction.

11:06:31 19 THE MOTHER: Thank you.

11:06:32 20 THE COURT: Anything else, Attorney
11:06:34 21 Hoke?

11:06:35 22 ATTORNEY HOKE: No.

11:06:36 23 THE COURT: Anything else, Ms. Pickett?

11:06:36 24 THE MOTHER: No, no, I'm good.

11:06:38 25 THE COURT: All right. Everyone is

11:06:39 1 excused. Thank you very much.

11:06:39 2 ATTORNEY HOKE: Hold on. So she has an
11:06:41 3 address other than the one that she just cited?

11:06:45 4 THE MOTHER: No.

11:06:45 5 THE COURT: Do you want to provide an
11:06:47 6 e-mail address to Attorney Hoke?

11:06:47 7 THE MOTHER: Everything is on file with
11:06:49 8 the Court. I filed everything for my pro se. They
11:06:51 9 have my e-mail address, my address, I filed everything
11:06:54 10 that was required to be provided to the Court.

11:06:55 11 THE GRANDFATHER: Have you moved?

11:06:57 12 THE MOTHER: No.

11:06:57 13 THE COURT: All right. Everyone is
11:06:59 14 excused. Thank you.

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16 END OF HEARING

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above cause and that this copy is a correct transcript of the same.

Bethany Riley

BETHANY J. RILEY
Official Court Reporter